

**FILED**

JUL 24 2017

Clerk, U S District Court  
District Of Montana  
Billings

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**ATTORNEY FOR PLAINTIFF  
UNITED STATES OF AMERICA**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**TIMOTHY ALLEN WEAVER, and  
MICHELLE ANDRA JOYNER *aka*  
*Michelle Andrea Hayden aka Michelle*  
*Andrea Dumond,***

**Defendants.**

**CR 17 - 57 -GF-BMM**

**INDICTMENT**

**SEXUAL EXPLOITATION  
OF A CHILD**

Title 18 U.S.C. § 2251(a) (Counts 1-65)  
(Penalty: Mandatory minimum 15 to  
30 years imprisonment, up to \$250,000 fine,  
five years to lifetime supervised release,  
and \$5,000 special assessment)

**SEXUAL EXPLOITATION  
OF A CHILD**

Title 18 U.S.C. §§ 2 and 2251(a) (Counts  
66-74)  
(Penalty: Mandatory minimum 15 to  
30 years imprisonment, up to \$250,000 fine,  
five years to lifetime supervised release,  
and \$5,000 special assessment)

	<b>RECEIPT OF CHILD PORNOGRAPHY</b> <b>Title 18 U.S.C. § 2252(a)(2)</b> <b>(Counts 75 &amp; 76)</b> <b>(Penalty: Mandatory minimum five to 20</b> <b>years imprisonment, \$250,000 fine, five</b> <b>years to lifetime supervised release, and</b> <b>\$5,000 special assessment)</b>  <b>FORFEITURE</b> <b>Title 18 U.S.C. § 2253(a)</b>
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**THE GRAND JURY CHARGES:**

**COUNT 1 through COUNT 65**

That on or about the dates set forth in the table below, in Cascade County, in the State and District of Montana and elsewhere, the defendant, TIMOTHY ALLEN WEAVER, did employ, use, persuade, induce, entice, and coerce and attempt to employ, use, persuade, induce, entice and coerce any minor, Jane Doe, who is known to the defendant but whose name is withheld to protect her identity, to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct, namely the file identified with the associated date in the table below, using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, in violation of 18 U.S.C. § 2251(a).

COUNT	DATE	FILE
1	July 10, 2011	{0637FB4F-FF21-4D1D-8E2F-13B41CAF989F}-SANY1461.JPG

2	March 13, 2016 09:06:18 PM	_P_201~1.TMP
3	March 13, 2016 09:06:00 PM	_P_201~1.TMP
4	March 13, 2016 09:04:01 PM	_P_201~1.TMP
5	March 13, 2016 09:04:29 PM	_P_201~1.TMP
6	March 13, 2016 09:05:42 PM	_P_201~1.TMP
7	March 13, 2016 09:04:33 PM	WP_20160313_2
8	March 13, 2016 09:05:51 PM	WP_20160313_2
9	March 13, 2016	WP_20160313_21_04_26_Pro.jpg
10	March 13, 2016	WP_20160313_21_05_39_Pro.jpg
11	March 13, 2016	WP_20160313_21_05_44_Pro.jpg
12	March 13, 2016	WP_20160313_21_06_12_Pro.jpg
13	March 13, 2016	WP_20160313_21_06_16_Pro.jpg
14	March 13, 2016	WP_20160313_21_06_41_Pro.jpg
15	March 13, 2016	WP_20160313_21_09_25_Pro.jpg
16	March 13, 2016	WP_20160313_21_09_33_Pro.jpg
17	March 13, 2016	WP_20160313_21_09_43_Pro.jpg
18	March 13, 2016	WP_20160313_21_09_50_Pro.jpg
19	March 13, 2016	WP_20160313_21_10_04_Pro.jpg

20	March 13, 2016	WP_20160313_21_10_16_Pro.jpg
21	March 13, 2016	WP_20160313_21_10_45_Pro.jpg
22	March 13, 2016	WP_20160313_21_10_47_Pro.jpg
23	March 13, 2016	WP_20160313_21_10_47_Pro.mp4.tnl
24	March 13, 2016	WP_20160313_21_10_53_Pro.jpg
25	March 13, 2016	WP_20160313_21_10_53_Pro.mp4.tnl
26	March 13, 2016	WP_20160313_21_11_03_Pro.jpg
27	March 13, 2016	WP_20160313_21_11_03_Pro.mp4.tnl
28	March 13, 2016	WP_20160313_21_13_10_Pro.jpg
29	March 13, 2016	WP_20160313_21_13_10_Pro.mp4.tnl
30	March 13, 2016	WP_20160313_21_15_28_Pro.jpg
31	March 13, 2016	WP_20160313_21_15_31_Pro.jpg
32	March 13, 2016	WP_20160313_21_15_31_Pro.mp4.tnl
33	March 13, 2016	WP_20160313_21_16_10_Pro.jpg
34	March 13, 2016	WP_20160313_21_16_10_Pro.mp4.tnl
35	March 13, 2016	WP_20160313_21_16_15_Pro.jpg
36	March 13, 2016	WP_20160313_21_16_15_Pro.mp4.tnl
37	March 13, 2016	WP_20160313_21_16_19_Pro.jpg

38	March 13, 2016	WP_20160313_21_16_19_Pro.mp4.tnl
39	March 13, 2016	WP_20160313_21_16_24_Pro.mp4.tnl
40	March 13, 2016	WP_20160313_21_16_53_Pro.jpg
41	March 13, 2016	WP_20160313_21_16_53_Pro.mp4.tnl
42	March 13, 2016	WP_20160313_21_17_02_Pro.jpg
43	March 13, 2016	WP_20160313_21_17_02_Pro.mp4.tnl
44	March 13, 2016	WP_20160313_21_17_10_Pro.jpg
45	March 13, 2016	WP_20160313_21_17_10_Pro.mp4.tnl
46	March 13, 2016	WP_20160313_21_17_23_Pro.jpg
47	March 13, 2016	WP_20160313_21_17_23_Pro.mp4.tnl
48	March 13, 2016	WP_20160313_21_17_28_Pro.jpg
49	March 13, 2016	WP_20160313_21_17_28_Pro.mp4.tnl
50	March 13, 2016	WP_20160313_21_17_36_Pro.jpg
51	March 13, 2016	WP_20160313_21_17_36_Pro.mp4.tnl
52	March 13, 2016	WP_20160313_21_17_41_Pro.jpg
53	March 13, 2016	WP_20160313_21_17_41_Pro.mp4.tnl
54	March 13, 2016	WP_20160313_21_17_48_Pro.jpg
55	March 13, 2016	WP_20160313_21_17_48_Pro.mp4.tnl

56	March 13, 2016	WP_20160313_21_17_53_Pro.jpg
57	March 13, 2016	WP_20160313_21_17_53_Pro.mp4.tnl
58	March 13, 2016	WP_20160313_21_18_06_Pro.jpg
59	March 13, 2016	WP_20160313_21_18_06_Pro.mp4.tnl
60	March 13, 2016	WP_20160313_21_18_10_Pro.jpg
61	March 13, 2016	WP_20160313_21_18_10_Pro.mp4.tnl
62	March 13, 2016	WP_20160313_21_18_14_Pro.jpg
63	March 13, 2016	WP_20160313_21_18_14_Pro.mp4.tnl
64	March 13, 2016	WP_20160313_21_18_21_Pro.jpg
65	March 13, 2016	WP_20160313_21_18_21_Pro.mp4.tnl

## COUNT 66 through COUNT 74

That on or about the dates set forth in the table below, in Cascade County, in the State and District of Montana and elsewhere, the defendant, TIMOTHY ALLEN WEAVER and MICHELLE ANDRA JOYNER *aka Michelle Andrea Hayden aka Michelle Andrea Dumond*, did employ, use, persuade, induce, entice, and coerce and attempt to employ, use, persuade, induce, entice and coerce any minor, Jane Doe, who is known to the defendants but whose name is withheld to protect her identity, to engage in sexually explicit conduct for the purpose of

producing any visual depiction of such conduct, namely the file identified with the associated date in the table below, using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, and aided and abetted such conduct, in violation of 18 U.S.C. §§ 2 and 2251(a).

COUNT	DATE	FILE
66	September 8, 2011	{4BC6C66C-3E5B-48A6-8524-CC3A46C91341}-SANY1598.JPG
67	June 26, 2016	IMG_20160626_215011.jpg
68	June 26, 2016	IMG_20160626_215046.jpg
69	June 26, 2016	IMG_20160626_215054.jpg
70	June 26, 2016	IMG_20160626_215103.jpg
71	June 26, 2016	Imgcache.0_embedded_57
72	June 26, 2016	Imgcache.0_embedded_58
73	June 26, 2016	Imgcache.0_embedded_59
74	June 26, 2016	Imgcache.0_embedded_62

#### COUNT 75

That from on or about March 30, 2010, through on or about April 18, 2016, in Cascade County, in the State and District of Montana and elsewhere, the defendant, TIMOTHY ALLEN WEAVER, knowingly received any visual depiction using any means and facility of interstate and foreign commerce, and that

had been shipped and transported in and affecting interstate and foreign commerce, by any means including by computer, namely image and video files on an eMachines computer, Model EL1300G, SN PTNAR0Y001921050969000, and the production of such visual depiction involved the use of a minor engaging in sexually explicit conduct and the visual depiction is of such conduct, in violation of 18 U.S.C. §§ 2252(a)(2) and (b).

COUNT 76

That from on or about May 22, 2015, through on or about April 15, 2016, in Cascade County, in the State and District of Montana and elsewhere, the defendant, TIMOTHY ALLEN WEAVER, knowingly received any visual depiction using any means and facility of interstate and foreign commerce, and that had been shipped and transported in and affecting interstate and foreign commerce, by any means including by computer, namely image files on a MicroSDHC media card, and the production of such visual depiction involved the use of a minor engaging in sexually explicit conduct and the visual depiction is of such conduct, in violation of 18 U.S.C. §§ 2252(a)(2) and (b).

FORFEITURE ALLEGATION

As a result of the commission of the crimes described above, and upon their conviction, the defendants, TIMOTHY ALLEN WEAVER and MICHELLE ANDRA JOYNER *aka Michelle Andrea Hayden aka Michelle Andrea Dumond*,

shall forfeit to the United States, all right, title and interest in the following described property that represents property used to commit the offense:

- eMachines computer, Model EL1300G, SN PTNAR0Y001921050969000,
- Polaroid Tablet, Model P900, seized from WEAVER'S residence, and
- Microsoft cellular telephone, Model RM-1073, with MicroSDHC media card, seized from WEAVER'S residence,

pursuant to 18 U.S.C. § 2253(a).

A TRUE BILL.

Foreperson signature redacted. Original document filed under seal.

FOREPERSON \_\_\_\_\_

  
LEIF M. JOHNSON  
Acting United States Attorney

Crim. Summons \_\_\_\_\_

Warrant: X - Both State custody

Bail: none

  
JOSEPH E. THAGGARD  
Criminal Chief Assistant U.S. Attorney